Denver Post Photo by David Mathias.

CHARGED WITH SWINDLE—Silas M. Newton (left), Denver oil company executive who two years ago announced three flying saucers and the bodies of little men from Venus had been impounded by the government, has been charged with operating a $50,000 confidence game swindle. Shown with him is Frank Scully, Hollywood writer who may be called as a witness.

'Doodlebugs' Compared at Swindle Trial

Denver Post Photo.

Harold Hastings (right), court reporter for the "doodlebug" swindle trial, holds one of the machines purchased by the district attorney's office for $3.50 which prosecutors charge is the same as the oil divining device Leo A. GeBauer and Silas M. Newton sold to Herman Flader for $50,000. Defense attorneys (left to right) Isaac Mellman, Theodore Epstein and Gerald Mellman, stand behind the machine which GeBauer claims can locate oil, gas and water below the surface of the ground.

Kramer singled out for special mention State Sen. Charles Bennett (D) of Denver, who charged last week that the governor "ought to be court-martialed" for denying state employes a half-day off to Christmas shop after the governor spent "a couple of months" on vacation this year in California.

"Senator Bennett's statement is at complete variance with the facts," Kramer charged. "Our records show that the governor actually spent less than a month on vacation this year.

BENNETT ABSENT, TOO

"And I have just compiled Senator Bennett's own record in the legislature which shows that he was absent more than 30 pct. of the time in the last general assembly. He was absent 17 days out of 56 days of the session.

"If Senator Bennett wants to toot his horn, he had better go back to his orchestra because his new notes sound a little flat in the light of his own record in the senate."

Bennett's many absences from the senate during the last session occasioned considerable criticism from both his Democratic and Republican colleagues, statehouse observers recalled.

3 DAYS AT CONFERENCE

Reviewing Thornton's record of out-of-state trips, Kramer said that he took 10 days off after the last session in April but spent three of those days conferring on governmental reorganization with Gov. Howard Pyle in Arizona.

Kramer said that on his recent trip, Thornton left Denver Oct. 2 to attend the western governors conference at Albuquerque. He did not actually begin his vacation until Nov. 5 and returned to Denver Dec. 1, the secretary explained.

"While in California, he (Thornton) took care of much state business, attending the western council of state gov-

December 3, 1952

Dear Si:

By the time you read this you will I suspect survive a more memorable journey than "Stage Coach". Though you will be pounded with advice, please remember these following points:

1. To point out that the statute of limitations on this case ran out last October.

2. Demand in any case a separate trial.

3. Check on that 228A that Rose stressed when pitching for that writ of Habeas Corpus.

I suggest, too, that you press for not only a separate trial but an early trial, and waste no time getting your criminal libal actions going, not to forget the hint of Judge Richards about starting ~~false~~ prosecutions about false arrests.

Your case needs someone like Rose but I guess unless you can raise some money, that's out. It's fantastic to me that Doc who had only his government salary seems to be rolling in dough whereas you have to scrape for every quarter. Nevertheless, do not lean on his lawyer because your case is a great deal cleaner than his, and you have enough load carrying your own.

Mr. Rogers came up and spoke to me after you had left and I gather from a visit Sharon made here this morning that nothing was settled between you and him Monday morning.

What about your things at the Brevoort? Do you want them removed and do you want to give the room up? Or do you hope to come back between the preliminary hearing and the trial?

With all best wishes, and more later, I remain

Faithfully yours,

FRANK SCULLY

FS;dd

Newton

Dec 30 1953

Dear Si:

A melancholy too deep for tears has settled over Bedside Manor and aches and pains long silent seem to be asserting themselves all over the body of this life.

That a louse could start out by charging you were selling oil stocks to suckers from a mailing list of flying saucer fans and build that ridiculous acorn into an oak that you fleeced a pretty smart promoter in his own right of $250,000 by selling him a worthless doodlebug still seems so fantastic that nobody but a village idiot would believe. To think that after seven weeks, not counting the thirteen months all this hung over you like a Damocles sword, a jury could swallow even a part of this and convict you as a con man with a possible sentence of 30 years becomes a staggering miscarriage of justice. And then to have that doodlebug bring in a paying well within ten hours of a jury verdict against you must strike all concerned as too ironic for further comment.

I am amazed at the way you have taken all this and have gone to work while still out on bail to gather some help by your own efforts to help those near and dear to you. I often wondered if you had toured the country repeating that Denver lecture if they would have dared to attack you in this way. That you could have made $50,000 a year I have not the slightest doubt. But since you refused any compensation to talk on this subject you got the book thrown at you by guys whose chief interest in justice is like ball players interest in the same subject, it being confined to how many hits they can make. Well, as the late Fr Dempsey used to say, never ask for justice from man; ask for mercy from God.

You can still do a great deal of good for yourself and others if free to lecture and I have no doubt you can fill a hall of 600 to 6000 people within the range permitted you while still on bail. But you will have to do it without Welo's pictures. Gene has been working for some time to get a copy of that film but Welo says he has destroyed even the original negative. Of course we don't believe this and are trying still to find some way to pry a print loose.

If you were free to move around the country pending appeal I could work out a tour in cloverleaf fashion with a series of four lectures that would make you some money. That guy Gardener who really knows from nothing first hand averaged $300 a night in a hall that cost him $25 a night and could hold only 300 people!

On that cheerful note I close for the day.

Pax et Bonum.

FROM FRANK SCULLY'S BEDSIDE MANOR HOLLYWOOD CALIF

NOVEMBER 20 1953

DEAR SI:

Well, this is the beginning of Advent and every year for the next three Sundays we learn a lot about the sort of thing most people don't want to talk about, to prepare for, to face -- death and judgment. It is all in preparation for the birth of Christ who then went through the cycle that is the lot of all of us, saints, sinners, liars and lovers.

By the time this reaches you I hope and pray that you too will be knowing a rebirth and that the slow torture of injustice will have passed you by at last. It is easy for all of us to see ourselves persecuted and maligned, but as one a little outside the perimeter I certainly think this was the bummest beef in a long line of them.

That sharp shooting was not done somewhere by somebody - would be the last to deny but at worst it seems that Doc and Flader tried to outsmart each other and you got caught in the crossfire. For that reason I cannot see why a move for a dismissal, or at least a move for the dismissal of the charges against you, can't be successfully argued and if turned down immediately appealed on the basis of the prosecution's own case. I can't see that you need Doc at all, even if in court in a hospital bed, to prove that you personally had nothing to do with the charges advanced by Flader. His contention that Doc and you were in a silent partnership before Doc was introduced to you, if not proved by the prosection just about destroys the conspiracy to operate a con game and all else falls apart like a house of cards. Did they bring out anything to damage the chronological sequence which has been your main contention from the beginning? If they did it seems to me you have the witnesses to destroy it. If they didn't , you have a case as Judge Richards indicated for false arrest right there.

But to lighter things. The reason Gene thinks it unwise to talk to you at his house is that he has good reason to believe his phone is tapped. Some weeks ago he fell upon a fantastic tale through that sound engineer at Disney's. It seems, according to the story, a saucer landed in the area of Ewards Air Base near Mojave. A live pilot was captured. He was loathe to talk but he did point out on a map to the planet Mars. The main difference he showed from earthbound mortals was that his circulatory system was not operated by any pump similar to our heart. Gene wanted to know if I could get in there through some high member of the Air Force. I started to hunt out among those with the rank at least of Brig Gen, when Gene ccalled me and told me to forget it because security had clamped down on the thing. He had learned through Brian Dunlevy who was in Navy Intelligence that nobody could get in or out of Edwards for the moment. Not e en phone calls were going through to certain staff members.

Either Gene or a friend or both went up to see what they could see. They saw nothing. But in a bar on the main road they got to talking with a marine, who had a two day pass. His pass was up but when he reported he couldnt get in and was told to wait around and try each day till he got an okay. It mystified him completely.

So that's how it stands. A complete blackout for the moment and whether the story was the McCoy or just successful scuttlebutt to keep nosey people away from the real thing, deponent sayeth naught.

Anyway after Gene had called somebody in Glendale he got a call back later from the phone company, checking on the call and it rather surprised him that a tap would be put on even local toll calls. But he has been friendly with Hunrath and Wilkerson who rented a plane and disappeared ten days ago and that seems to be a more plausible reason for tapping his line, as the plane is now listed as stolen.

Jerry Baker rolled in here Thanksgiving day. We invited him for dinner. He had come from Prescott and seemed surprised that Hunrath had hopped off without him. On a previous visit to Prescott, remember, he thought he was going to be invited for a ride by Saucerians but it never came off. This time they didnt even wait for him.

Now the phoney part of all this is that Hunrath was to put it charitably an unstable character. He had known Wilkerson back in Racine. Wilkerson came west with certain so called vortex equipment. He got a good job in a radio plant and the day he disappeared he had got a raise and an elevation to a higher post in the setup.

He had some words with his wife (and with reason because the night before Hunrath phoned her to say that her husband had driven west with some surplus equipment, notably some dame that had been in his life before.) But before he lit out he sent her a check for $185.

By now she is reconciled to the likelihood of his not returning and is selling her furniture and all equipment including some fine high fidelity stuff. Baker is going to drive her and her three children back to Racine Tuesday.

What all leads to is this: Are these dopes from outer space that they pick characters like this to be our ambassadors to wherever they have come from?

All the best.

Ever,

FRANK SCULLY

Original Speech at Denver University, March 8, 1950

Magnetism, Propulsion and Flying Saucers.

Dr. Broman, Dr. Rank, if he's present, Ladies, and Gentlemen: The founding fathers of this country wrote into our constitution a fact. We call it freedom of speech. I think the history of the United States is largely built around that fact. Today I agreed at the request of my good friend Mr. Koehler of KMYR that I would meet with you ladies and gentlemen and talk to you about a subject that has commanded a good deal of attention in the press.

People are now interested in flying saucers. Actually, they have been interested in them for a good while. We're going to try to here for the moment the question of why they were called flying saucers.

But first I want to qualify myself. By reason of the fact that in January the press carried the information that what is called Project Saucer was abandoned (and I might say to you that is not the case,) we have certain things that we must adhere to, certain rules that we must follow.

I don't want you ladies and gentlemen in the course of this

talk, when the time comes, to ask me certain question. In the first place I don't want you to ask me the names of any of these scientists. I don't want you to ask me the exact places where any of these saucers have been found, because this is not the proper time to discuss that.

We think that the time will come very soon when that will become public information. If what I leave with you ladies and gentlemen here today puts you in ddvance knowledge of some of the facts, why when it is officially announced through the Air Force division of our government, then you can say, "Yes, I heard that some time ago!"

Before going into the Saucer Project itself, I want to make a few observations. In 1600 a man lived in England by the name of William Gilbert. William Gilbert is called the father of magnetism.

You students when you get into physics will find a few pages devoted to the subject.

Magnetism is going to become the most scientific problem of research that our people in the scientific world will ever have to deal with. In the course of my remarks here to you today, you

will find out why that is the case.

On July 16, 1945, a new age was born at 5:30 in the morning. We call it the Atomic Age. It was born at the Alamogordo Air Base down in New Mexico. That period represented the great milestone in the life of the physicists. It represented the culmination of all of his dreams and his hopes.

In 1903, I think it was, Max Planck, a professor at the University of Berlin, broke away from the orthodox ideas and gave us what is called now the Quantum Theory. Mr. Einstein had a few remakrs to make about it on occasion, but Professor Michaelson of the U of Chi., talking to a group of scientists one day made this observation, which I have never forgotten: He said, "Try any fool thing. It may not be as foolish as you think; you might learn something!" So with that I'm going to tell you something about Flying Saucers.

The True magazine article said they were real. The author of the article has been here and spent several days with my friend Koehler attempting to find out how to get to the people who could really talk. He was unable to do that for the simple reason that these magazine fellows want pictures and they want color and

they want dates and they this and the other. What you want are facts. I think it is rather valuably that in this university for the first time in the history of America you are going to hear about flying saucers by direct information.

Within 500 miles of the city of Denver, on a day within the past two years there settled gently to earth a round object which had already been identified by reason of other flight observers as being a flying saucer.

Now I'm going to give you some sketches I had made on the blackboard that will give you some ideas as what this particular sauce looked like, and you can judge for yourself why they call them saucers. This saucer was 99 and 99/100 ft in diameter.

We have decided that there is a reason back of that dimension. If you'll excuse my bad sketching this represents the outer rim of the saucer, and from this point to this point, and this was circular, it lacked just the fraction I told you of being loo feet. But the base of the saucer here to the tip of the saucer here was 27 inches. The cabin was set in this part here and was 18 feet in diameter. It was 72 inches in height.

Now before going into the inside of the saucer, I'd like to comment a few moments on that fact, because that another sa$_{u}$cer landed and that was 72 feet in diameter and had the same dimensions from the outer rim to the base, and the same sized cabin. The exposed part of the cabin from this line drawn to here was 27 inches and I think that makes 45 inches - that makes 72.

Now, in attempting to translate the writing found in this ship, which was written on what we would call parchment and in what we would describe as a pictorila language, the only headway made to date has been in arriving at the conclusion that these people followed the same mathematical system that we do, and the clue to that is given in these calculations which I have shown you.

It might be interesting to you gentlemen in your mathematics to begin to make a research into what we call our system of nines. Our system of mathematics is based on this fundamental 1,2,3,4,5, 6,7,8,9, and we left a zero to take care of the errors. When you divide that in half and we find a rather interesting thing: five and four makes nine; six and three makes nine; seven and two makes nine, eight and one makes nine, and so we have the basis, we total these figures and you make 45 and five and four makes nine .

All the measurements of this ship, broken down, total nine, 27inches, 72 inches,and seven and two is nine, 18 feet, one and eight is nince, 72 inches, 45 inches, 27 inches inches. The entire dimensions of these ships. Now that's the only clue that has been arrived at to date to give us information regarding their possible mathematical calculations. We think it's interesting we think it's worthy of investigation.

We hope the day will come when these people can help us, and when they actually land here and begin to visit with us awhile and we begin to get closer to them.

Now you might be interested to know what was on that ship. Well, for a matter of two days it was impossible to get into the ship. Apparently there was no door, apparently there was no exit of any kind. There was however, what we could call portholes in the ship. One of those portholes appeared to be broken. As a matter of fact, it was broken. You and I would assume it was made out of glass, and that porthole was broken out and there were sixteen people inside that cabin. They were charred about the color of doctor's coat here.

They were people that were about this (40") height. There

was no indication, and there has not been found one single medical fact to give the idea that they could have been midgets. They were normal people.

Judging their ages by our standards of age, they appeared to be thirty-five to forty years old. It happened to be to the dentist this morning and I reminded him that there wasn't a single solitary bad tooth in any of their mouths, not a filling of any kind! Every tooth was perfect and normal.

They had another peculiarity which might interest you young gentlemen; these gentlemen didn't have to shave. They had what we call a little peach fuzz on their faces.

They all wore the same kind of uniform. They had no insignia of any kind on any of the collars or on their little caps. So we had no way of identifying whether any of them had any rank different from the other. And the great misfortune was they were all dead. Or it might be construed as our good fortune because had it not been for the fact that they were dead, the ship probably would not have landed here.

Now the question came up as to how did it get here, where did it come from, where was it going? And that began a series of

studied about which we've drawn certain conclusions. You gentlemen can conjecture as much as you like after I've finished talking to you.

We undertook to determine whether there was any timepieces available. And there were found two or three of what we have finally judged to be timepieces. One was small, about that size. It had four markings across it like that. To our amazement from the notch that fitted into the top of the timepiece here, it took this just exactly 29 days for it to make a complete circumference.

Now do you know what a 29 day period is? That gave us our first clue. 29 days is to us a magnetic month. A magnetic day is 23 hours 58 minutes.

We soon decided that the method by which that ship traveled was magnetic. That's the reason why I mentioned Sir William Gilbert, as the father of magnetism. That ship and the others fly on magnetic lines of force.

Now I am not an electronic angineer; I am not a magnetic engineer. I am going to tell you, however, some of the magnetic facts that have been deduced from the research in regard to this subject so that you gentlemen can understand something about the

spped by which these ships travel, how they get from place to place, and from there on you can go at it yourself.

Just a few days ago in Los Angeles a gentleman came to me and he said, "I want to talk with you." He brought with him a half a dozen of witnesses. These were trained observers, and he said, "Last week we witnessed this phenomenon. In northern Arizona, we witnessed four of these ships and they were flying in formation. They flew and all of a sudden they changed their course like that, then they moved this way again, came back, this way, that way, that fashion."

Now, there's been all kinds of stories in the press and on the air as to how these ships look, the speed these strange light occur. Just a couple of mornings ago the highway patrol in Nebraska (and I want to warn you young gentlemen who ride in cars, be carefurl from now on.) Because the highway patrol chased one of these ships for seven miles because it was flying too low to the ground. They said it glowed with a great light that blinded them and lit up the whole countryside; They finally gave up because the ship just flew on away.

In the True article, the ship that flew over Fort Knox, (wondering perhaps what we were doing with our gold buried there) hung around there so long that they sent up three P-51 fighter planes and they chased this fellow for quite a while. Finally Lt. Mantell said, "I'm going to chase this up to 20,000 feet, and if I don't have any luck I'm coming in."

They picked up his ship and they picked up what remained of the lieutenant.

The significant part about the article in True magazine was it said that the ship and the lieutenant had disintegrated.

Now, gentlemen, that's a very interesting word - disintegrated. It didn't say that the ship had been blown out of the air, had crashed, it said that it had disintegrated. Well, apparently, this ship had the power to disintegrate Lt. Mantell and his attacking ship.

Now we happen to know that that can be done magnetically, because we are doing just that today. We are disintegrating different forms of matter by destroying the magnetic lines of force, or as we say, crossing them up.

This earth, as you gentlemen perhaps know from your study of physics, is a giant magnet, or dynamo. Now I don't know, Doctor, whether you gentlemen know anything about magnetic lines of force. When I was a student at the university, we learned very little about it, but in 1942 the United States Government collected together 1600 of the top scientists of this country. They worked for more than five years out of two major laboratories, and they did more research in magnetics than had been done in the history of the world up to date.

You gentlemen may know that in a square centimeter which is about 4/10 of an inche, a square centimeter contains 1257 (corrected from 1252) magnetic lines of force. No two lines of force ever cross. in this universe with certain reservations and exceptions, and I'll tell you about why.

There is in every dynamo, and the same is true of this earth, what we call eddy currents - the reverse of the magnetic lines of force. They run at right angles to the poles. This earth is held in position magnetically, controlled from the sun, since the sun is the center of the solar system. Every planet has to have a moon.

Now these magnetic lines of force know no barrier. They are eternally present. Every thing that exists on this plent maintains its form and shape and its being, both as to matter and life, by reason of magnetic lines of force. Whenever you cross those up you cause trouble.

We have on this continent certain places or zones which we refer to as magnetic blowouts. Oregon is a typical example.

And it is interesting to note that some two years ago the first official notice with respect to flying saucers came from the pilots of airplanes in that district where they sighted this ship. I have met the gentleman and he has been hounded until he has resigned his position as a pilot, his hair has turned grey, because he was tired of being called a liar, a fool and a crazy man. Now unquestionaly in our minds these ships flew in that area and in all probability are making some study of that magnetic distrubance. Now it so happens that Wyoming, Colorado, New Mexico, Arizona, the atmospheric conditions in these states were such that the observance of these ships were much easier than other parts of the country. Although in Kentuckky and North Dakota and Alabama there have been authentic sightings of these ships. but here is the playground for

them. Here they're easier to see than they are anywhere else, and, if I may venture the observation, the Alamogordo Air Base is quite a spot for these fellows to fly around. Unquestionably they are interested in our atomic research, our guided missiles and all that's going on in that territory with respect to the research that the Air Force is doing in this respect,,and it is our considered judgment that that is why so many of them are seen. Just the other day in Tucson one of these ships was flying around and finally a B-29 took off and decided to chase it. Well, it wasn't much of a chase because the speed at which these ships can travel is virtually unlimited. Now I read the other day that this navy man thought that took them a month to get here. (Referrring probably to an article in True magazine by a Commander of the Navy) I am going to direct to you attention some of our present conclusions, and you can study the subject out for yourself as to the question of their flight. I said to you that they fly magnetically. They fly by means of magnetic lines of force. They have developed a method by which they can create and develop motive power in the crossing of lines of force. They have found how, when they fly into what we call space, that they can transfer onto the lines of force that

envelop this planet. Now I have drawn the circle here as representing the sun. This the earth, and this I have marked with a V. We do not know this to be a fact, but we are thinking on the assumption that these ships could come from the planet Venus. Whenever they left the planet Venus, if that's the planet, and they flew out into space to where the magnetic lines of force of that planet and they come in contact with the magnetic lines of force surrounding this planet they have then made the transition and then flew in here on those lines of force.

Speed is of no moment because once they pass out of the area of resistance surrounding their planet they can fly at whatever speed they desire. We have computed that it is entirely possible that they fly as between the planet Venus and this earth in less than an hour. So the idea of them taking a month, or six months, or a number of years as some observers have deduced is to us an impossibility.

Now comes the question of how they functioned inside their ship. Well, we found some very interesting information in that regard. The water on the ships was almost twice as heavy as our water. In Norway, I think it is Doctor, we find some water that

Prof's Testimony Hits 'Doodlebug' Claims

A Colorado School of Mines geophysics professor testified late Friday in the Denver district court confidence game trial before Judge Frank E. Hickey that the so-called divining "doodlebugs" couldn't detect submarines much less oil and gas.

Dr. George T. Merideth made the comment while giving a demonstration with a Geiger counter on the alleged radio-activity of the "doodlebug" aerials.

Herman A. Flader, Denver industrialist who claims he was bilked of over $200,000 by the trial defendants, Silas M. Newton, Denver oil promoter, and Leo A. GeBauer, Denver and Phoenix radio parts dealer, previously testified he had been told the aerial tips were plutonium worth $3,800 a pair.

RADIOACTIVITY ABSENT

Merideth first placed a watch with a radium-painted face over the Geiger counter and the machine began clicking rapidly. He then placed the "doodlebug" aerials over the counter and nothing happened.

"These are no more radioactive than a spoon, knife or fork," the professor said.

He testified that even if the aerials had been plutonium, the "doodlebugs" couldn't have found anything. The state is charging specifically Newton and GeBauer with swindling Flader of $50,000 in the sale of "doodlebugs" that allegedly could locate underground objects including oil, gas and water.

Merideth, eighth state witness, will return to the stand 9:30 a. m. Monday when the ninth day of trial testimony begins.

The state is expected to rest its case sometime after the trial resumes Monday.

Isaac Mellman, defense attorney, said Saturday he expects to call around 10 witnesses and that the defense's case probably will take all next week.

Mellman said his evidence will show that the "doodlebugs" did work in 1949 when the alleged offense took place. He said he will question why the state waited nearly three years before bringing charges.

Another witness Friday afternoon was Howard Roberts, a University of Denver radio research engineer and war-time radar technician.

USED IN WARTIME

Roberts claimed the "doodlebugs" were attachments used with wartime radio transmitters and couldn't "find" anything. He identified two machines similar to the two "doodlebugs" presented as court exhibits that he said he bought at a Denver surplus store for $4.45.

Flader testified that GeBaeur told him the red light on the "doodlebug" would go on when the machine was over oil and the white light when over gas.

Roberts testified the lights could be manipulated by dials on the front.

Denver Post 21 Nov 53

Oil-Divining Rig Wouldn't Work, Claims Plaintiff

Herman A. Flader, plaintiff in a $250,000 oil "doodlebug" swindle suit, testified Wednesday that he received written instructions on how to operate the "doodlebug" machines, "but still couldn't make them work."

Flader, a Denver manufacturer, charged that he invested large sums of money in oil property and a half interest in three machines which he said he was told could locate oil.

Silas M. Newton, Denver oil promoter, and Leo A. GeBauer, Denver and Phoenix radio parts dealer, are charged with confidence game as a result of Flader's complaint that he "never received one cent in return on his investments."

District Attorney Bert M. Keating called Flader as the state's first witness in the trial being heard by Judge Frank E. Hickey. Following three days of direct examination, Isaac and Gerald Mellman and Theodore Epstein, defense attorneys, started cross examination late Tuesday.

The state produced nearly 300 checks which Flader testified showed that he paid thousands of dollars for a half interest in the machines and oil rights on property owned by Newton and GeBauer. Keating said the "doodlebugs" are war surplus gadgets sold for $3.50.

Flader said when questioned by Isaac Mellman late Tuesday:

"I couldn't make the things work and every time GeBauer came to the office all he wanted was more money and never seemed to have time to explain the things to me. One day I made him write out instructions on how to operate the machines and they still didn't seem to work for me."

The written instructions have been introduced as evidence.

Epstein questioned Flader Wednesday on his association with Newton during 1949, when Flader said the swindle occurred.

The trial, in its ninth day Wednesday, is expected to last three weeks.

Wells Didn't Produce, Witness Testifies in 'Doodlebug' Trial

By BUCK WILSON
Denver Post Staff Writer

The state called its second witness shortly before noon Thursday in the $250,000 "doodlebug" swindle case, now in its 10th day in Denver district court.

The district attorney's staff called W. L. Huey of Marvel, Colo., who testified he drilled two oil wells for the Newton Oil Co. in the Mohave desert in 1948 and that neither well produced oil.

CON GAME CHARGED

Silas M. Newton, Denver oil promoter, and Leo A. GeBauer, Denver and Phoenix radio parts dealer, are charged with a confidence game stemming from the sale of three oil divining devices to Herman A. Flader, Denver industrialist, that were supposed to be able to locate oil beneath the surface of the earth.

Flader was called as the state's first witness by Dist. Atty. Bert M. Keating, his chief deputy, Gregory Mueller, and Edward Lehman, a deputy, and has been under constant questioning by both the prosecution and defense ever since.

The trial, in its tenth day Thursday and expected to last three weeks, is before District Judge Frank E. Hickey.

QUESTIONED BY DEFENSE

After direct examination by the DA's staff, Flader was questioned by the father-son defense team of Isaac and Gerald Mellman and was interrogated by a third defense lawyer, Theodore Epstein, before being excused.

During his testimony, Flader told weird stories of GeBauer's discovery of flying saucers and three-feet tall men he said GeBauer talked about during one of their oil seeking expeditions.

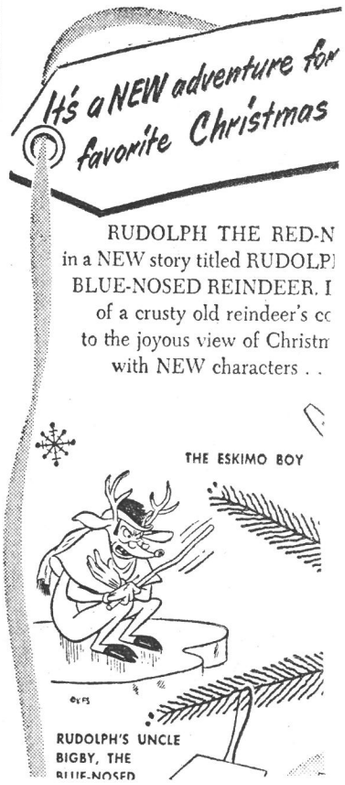
The doodlebugs were supposed to be able to locate gas, water and oil below the surface of the ground, but Keating said his staff purchased two of the gadgets at an army surplus store for $3.50 each.

Flader spent nearly $250,000 buying up oil leases owned by Newton and GeBauer and for an interest in the doodlebugs. He said:

"I never got one cent return on my investment."

Judge Hickey refused to allow into evidence a photostatic copy of a contract that Flader and GeBauer were alleged to have entered into after Keating charged Flader's signature was a forgery, and the date of the contract had been altered.

The DA turned the documents over to a handwriting expert for examination and if in the expert's opinion the signature is a forgery, Keating said, he will ask the expert to testify.


It's a NEW adventure for favorite Christmas
RUDOLPH THE RED-N
in a NEW story titled RUDOLP
BLUE-NOSED REINDEER. I
of a crusty old reindeer's cc
to the joyous view of Christn
with NEW characters . .
THE ESKIMO BOY
RUDOLPH'S UNCLE
BIGBY, THE

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State Witness Says 'Doodlebug' Found Buried Oil Tank and Pipes

By AL NAKKULA
Rocky Mountain News Writer

Nov 14/53

Does the "doodlebug" really work in locating oil?

A state-subpenaed witness called by defense attorneys Friday in the $50,000 "doodlebug" confidence game trial said it does.

Howard Hill, independent Los Angeles motion picture producer and professional archer, testified Silas Newton and Leo GeBauer demonstrated a "geophysical gadget" in his backyard.

The gadget located a buried oil tank and two buried water pipes, Hill said.

$50,000 AT STAKE

Newton and GeBauer are defendants in the trial. They are accused of bilking Herman A. Flader, wealthy Denver industrialist, of $50,000. They are accused of using "doodlebug" divining devices in their alleged scheme.

District Attorney Bert Keating claims the "doodlebugs" are only surplus Army Signal Corps equipment worth $3.50 each.

Hill's testimony pained Keating. Hill was brought here to testify as a witness for Keating. The district attorney announced, however, that he wasn't going to call on Hill.

Defense Attorneys Isaac and Gerald Mellman and Theodore Epstein objected. They said they wanted to question him. So Hill testified as a defense witness at state expense.

After telling of the success of the "doodlebug" used by Newton and GeBauer in his Los Angeles backyard, Hill could not identify either of the two machines in court as the one he saw demonstrated.

MACHINES IDENTIFIED

Flader identified the two machines in court, however. He said he paid GeBauer $18,500 for one and $12,500 for the other.

* * *

'Doodlebug' Trial Defense Attorney Now Grandfather

Theodore Epstein, a defense attorney in the "doodlebug" confidence game trial, became a grandfather Friday.

His daughter-in-law, Mrs. Ruth Epstein, gave birth to a seven-pound, nine-ounce girl at St. Joseph's Hospital. The proud father, Fred Epstein, is a teacher at Kepner Junior High School. The newcomer will be named Lori Sue.

District Attorney Bert Keating, who also recently became a grandfather for the first time, graciously accepted TWO cigars from Epstein.

He said he paid $900 for a third machine "which GeBauer said was in the making but I never got." The 68-year-old complaining witness, who owns the Flader Land Co., said he never examined the machines too closely.

"GeBauer warned me not to open the machines because the government had the machines wired with explosives," he said.

Keating introduced as evidence a paper allegedly written by GeBauer which outlined the "50-50 business contract" between GeBauer and Flador over use of the machines.

The paper caused a three-sided dispute between Judge Hickey, defense attorneys and Keating, who is assisted by Deputies Gregory Mueller and Edward Lehman.

TERMS DISPUTED

No agreement could be reached over whether the paper should be called a "contract," "bill of sale" or "letter." The paper finally was referred to as "Exhibit H."

The judge, defense and prosecuting attorneys clashed again over admission of cancelled checks Keating claimed were used as payments on the "doodlebugs."

The clashing is expected to be continued when Flader takes the stand again at 10 a.m. Monday.

SWINDLE CHARGED 11/14/53

Court Hassle On Oil Gadget

DENVER, Colo. (U.P.)—Learned attorneys appeared no closer today to the important question of whether the "doodlebug" can find oil.

The mysterious gadget is the main exhibit in the trial of Silas Newton and Leo Gebauer on confidence game charges.

They are accused of selling three of the machines to Denver industrialist Herman A. Flader.

Howard Hill, independent Los Angeles motion picture producer and amateur archer, testified yesterday that Newton and Gebauer showed him a "geophysical gadget" that located a buried oil tank and two buried water pipes in his back yard.

But he couldn't identify either of the two machines exhibited in court as models of the mechanism that worked for him.

Flader identified the two machines in court, saying he paid Gebauer $18,500 for one and $12,500 for the other. He said he also paid $900 for a third machine "which Gebauer said was in the making but I never got."

Dist. Atty. Bert Keating said testimony would show that Gebauer advised Flader to drill for oil near Dove Creek, Wyo., when the "doodlebug" indicated oil beneath the surface by flashing its red light.

The drilling venture, Keating said, cost Flader $150,000 on a dry well. He said Flader also invested $49,400 in a gas well on the Mojave Desert and another $1,500 in an oil well near Newhall, Calif.

In all, Keating charged, the two men bilked Flader of more than $200,000.

Newton gained attention on March 8, 1950, when he told a Denver University class that flying saucers manned by 36-inch-tall men from Venus had landed in this country.

He maintained that four such craft had crashed in the United States.

A native of Texas, Newton moved to Denver early in 1938 and established the Newton Oil Co. He became a well-known Colorado golfer and civic leader and at one time held the Colorado amateur golf title.

Silas Newton Sets Blame On Flader

Silas W. Newton, on trial in criminal court for confidence games, charged Tuesday in a civil division of Denver district court that Herman A. Flader, wealthy Denver industrialist, wrecked the Newton Oil Co. and wiped out its assets.

Flader is the complaining witness against Newton and Leo A. GeBauer, Denver-Phoenix radio parts dealer, in the "doodlebug" criminal action. He claims the two men bilked him of $250,000.

Newton made his charges in a hearing before Judge Robert Steele to determine if the oil promoter has any assets to meet a year-old judgment of $2,250 against him.

TO COVER RENT

The judgment was to cover rent Newton owed on his former residence at 315 Franklin St. between Aug. 15, 1950, and June 15, 1951. Adaline S. Bullen, owner of the building, obtained the judgment but has received no payment on it, she claimed.

Newton testified Tuesday that he had received no income during the past year and has no assets.

"How do you live?" Maxwell P. Aley, attorney for Mrs. Bullen, asked.

"I have been living on the charity of my friends," Newton answered.

"Do you mean that all the assets are gone in a year and a half?" the attorney inquired.

"Dissipated completely," Newton replied. "Mr. Flader did a good job of wrecking the company."

Newton claimed he had no income of any kind and no assets.

Judge Steele adjourned the hearing, finding that Newton could not be compelled to pay on the judgment. However, he said, Newton will be subject to another citation into court if and when he does obtain funds and if he fails to pay the judgment.

The criminal trial is in recess because GeBauer is ill.

NEWTON OIL COMPANY

Executive Offices:
Equitable Building

Denver 2, Colorado

September 21, 1950

Mr. Frank Scully
c/o Henry Holt and Company, Inc.
257 Fourth Avenue
New York 10, N. Y.

Dear Frank:

The enclosed clippings speak for themselves. On the street a few minutes ago Jack Foster, Editor of the Rocky Mountain News, hailed me and in a great excitement undertook to describe to me what he had seen last night, which he at once concluded were flying saucers.

One of his reporters was with him, and I said, "Now, Jack, just quiet down, because you know you are now a victim of hallucination and a hoax. So I want you to very carefully describe to me exactly what you think you saw."

Whereupon he stated as follows: "I saw the objects, they were all round and flying in formation, and as near as I could judge, not more than 2,000 feet high. The leader was the largest, the next was a shade smaller, and then three small ones."

I asked him about the light that glowed from these round objects, and he verified the different colors as indicated in the paper. He said that as he watched them they flew parallel to the ground until they disappeared from his view, but that all of a sudden the three small ones disappeared insofar as their lights were concerned, and only two of them remained visible by reason of the light emanating from the ships; said they flew directly over his head and there was no noise of any kind.

I told him that the lighting effects were of course comparable to that reported by flyers who had observed the long cigar-shaped types of saucers, such as the TWA pilots at South Bend, the pilots over Arkansas and over Northwestern Georgia.

He stated that he was convinced that he had witnessed flying saucers and not meteorites or comets, because of their flight direction.

It occurred to me that I should send this on to you as the probability is that neither the AP nor International News Service will pick it up and carry it, due to the hush-hush that exists. They are now attempting to report these saucers as meteorites.

Sincerely,

SMN/P

Encs.

Frank:

Let answer by paragraphs numbered-

(1) If Jim not badly mistaken, Browne repeated at the close of the lecture practically all of the data he gave in his short introduction-

(2) What is the Science Fiction that Browne now refers I gave him-[3]

(3) I do not know what he means here

(4) I do not recall if we gave him one of the several books I had with your autograph and mine added as Executor X or Ed.

(5) How did you or anyone know that Browne had prior to my arrival a written set of conditions? If he had why didn't he give them to me- If he planned to introduce his student - his student Geo. and George Me, which was his proposal to me, wherein would he lay down the conditions he now claims- [3] After my statement to him naming dates names & places and getting only student & Ged, and having him confirm no publicity, - and simply refer to me as the Speaker and give the reasons for this, he agreed and he followed this plan to the letter -

6 & 7 - No comment

8 - Copy of conditions 1st sentence follows

(1) "In the first place the reports should be first hand"

(2) The material should be free from prejudice"

3 The information carries much more weight from a trained than from an untrained observer"

4 The data should be available for double-checking"

5 Statements must be, in effect, signed, and thus backed by the reputation of the person who makes them"

RUNNING ACCOUNT BY SILAS M. NEWTON OF UNIVERSITY OF DENVER LECTURE
March 8, 1950, Denver, Colo.

On March 7th, 1950, I was in Denver at my house, 315 Franklin St.

George Koehler and his wife lived there and had charge of the house during my absence from Denver.

Others were the following persons living there. Mr. and Mrs. Koehler, Mrs. Koehler's son Jimmy Grider, a freshman at University of Denver, and Mrs. Koehler's sister Miss McPhail. During the previous six months the story of flying saucers had been told to these people as it had been to me. The article in True in the January issue 1950 made it a big story at that time, and as George Koehler felt that the sources he had heard the story from were reliable as I did, he of course told his version of what he had heard, and it made the papers. Kansas City Star printed a piece. Purdy of True read it and sent out Keyhoe to buy the story. George felt that people were getting a kick out of what he had to tell.

A student at Denver U worked at night at the broadcasting station where George worked. He told Mr. Broman in his basic science class about it and Broman wanted George to come out and tell the story to his class. He talked to George several times and George told him that he would flop completely if he tried to talk in public and what's more he didn't want to even try to tell the yarn to a class.

On March 7th at about 5 p.m. George said to me that only that day he had been asked again to talk. (Now it is evident there was no thought in Broman's mind about screening anybody or digging into

their background educationally or otherwise. He just wanted the yarn told.) He said to me, "Mr. Newton, is there any way you could step in and talk to this class and save me from being pestered to death." My reply was: "George, Frank Scully has begun to assemble material for his book and in January I agreed with Doc to help him with the scientific data. Now if I got out there, and there's any publicity it might hurt Frank because he is going to use all of the data we have gathered, so unless we can absolutely know that it will be a private talk to his class without any publicity, no dice. So call up Broman and see what he says. Tell him one of the group from whom you got the story will be in town tomorrow and if he wants him to talk to his class you'll try to arrange it and confirm it by 10 a.m., but state the conditions." George looked up the professor's home number and called him. I listened in and Broman said "Wonderful. Perfect. I agree, etc." and "the class meets at 12.30." Thirty minutes later Broman called George and asked could he invite Professor Rechtо's Astronomy class. George said, wait let me give that some thought and he repeated it. I nodded approval and George said, "Okay, I'm certain that will be okay." In about an hour Broman called George again and this time inquired if George's friend would be in Denver the next day also and if so could the talk be made then as some of his professor friends would like their classes to be present. George yelled out, "Hell no, this would be impossible and what's more, this is to only be a talk to your class, not the whole school," so the professor backed off from this one.

The next morning at 10 Broman called and George said my friend is here, where do we ~~go~~ come to? Come to my office such and such place at 12.15. I told George to have his station engineer take out a tape recording machine to record the talk as I didn't want by any chance to be misquoted,

and I wanted a record of the talk to give to Frank Scully.

At 12:15 we arrived and went down in the basement of the building as directed. There we met Broman and in came assistants Yale and ~~Jonnson~~ Armstrong. George said "Where is the classroom? My engineer wants to set up for a recording of this talk." Broman left and returned in about five minutes. In the meantime I had a few words with the two men. I said"I happen to be a Yale man, Professor, and your name being that, did you by any chance go there?" No, he said. Broman came back. The two men left. George was with Broman. I then said to Broman. "Professor, I think I should call to your attention that this subject might be full of dynamite, and since I'm going to try to give your class something to think about along scientific lines I had better tell you who I am. First, I am not a physicist. I am a Baylor and a Yale graduate. I have a B.S. degree in Geology. I am an oil executive and the head of my own company and I'm well known in the business. I have been engaged in geophysical research for mahy years and the people whom I've been wr working with in the past year furnished me most of which I know about saucers. If you and your class like what I have to say today, it may be possible that in a few months I can arrange to have you meet some of the people I know and I might be in a position then to give another talk and expand on what I have to say today. Now, it's very important that this talk be absolutely for your class only, and no publicity for reasons I'll disclose to you at the time I'll be able to talk again." "Agreed," said Mr. Broman. "Now, Professor, how do you propose to introduce me and the subject?" I asked.

He then said, "I thought I would first make a short statement, introduce my pupil who told me about Mr. Koehler, then let him introduce Mr. Koehler and then let Mr. Koehler introduce you."

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He then said, "I thought I would first make a short statement, introduce my pupil who told me about Mr. Koehler, then let him introduce Mr. Koehler and then let Mr. Koehler introduce you."

I said, "Professor, you'll use all the class period for introductions. Why don't you do it this way? Simply tell your students that after talking to the speaker, you feel that for the purpose of the quiz you propose to have," as he had said he wanted to examine them on the talk, "the students should listen only to what the speaker had to say and therefore you would not tell them about the speaker, and on the morrow's quiz they should then decide impersonally if what they had heard was fact or fiction."

"Fine," said Mr. Broman. "Let's go, it's time."

George, Mr. Broman and I went out and across the campus lawn to a wooden building, stepped in to a large assembly hall. Every seat was filled and the aisles about the walls were full of standees. I remarked, "Dr. you have quite a large basic class." He replied, "Well, I guess the students let it be known what the subject is, you don't mind do you?" I said, "Okay, we'll have a lot of fun."

Without any fanfare Broman introduced me as agreed, and it took not over 1 to 2 minutes and he told them to"take full notes as we shall have a quiz tomorrow and see how you analyse what I am sure will be a most exciting lecture," whereupon he handed the mike to me. Every student seemed to have a note book and pencil poised, so at once I decided to talk slower than I usually do in a public talk, and the show was on.

The engineer not knowing how long I would talk didn't record Broman's introduction but did record his after-speech, which is very valuable. Nor did he record the question and answer program as he was short of tape.

After about twenty minutes of questions and answers with students crowded around me and professors on desks and chairs, George

and Broman pushed their way to me, and George said, "If you are going to catch your plane we must get to the field in the next twenty minutes," so George, Mr. Broman, the engineer and his recording equipment and I went out of the hall and over to the car. Mr. Broman saying that was wonderful, the best ever, etc., and when you are ready for the next talk we must have you without fail. Thanks, Goodbye, etc., and we drove away.

I got out at 315 Franklin St. George went to the broadcasting station, called me on arrival, not over twentyfive minutes after we had left the university and said, "Somebody has spilled this story. All the stations have it on the teletype now and the papers are calling. That's a hell of a doublecross." I said, "Come home soon and we'll talk it over." When he got home at 5 he said, "Hell has broken loose." I said I would stay over and go to Los Angeles the next day. By 6 p.m. the public relations man from Denver University called and demanded to have the tape rerun as he and the faculty wanted to hear it. He said Mr. Broman had forgotten the speaker's name in the excitement but that Yale thought it was "Newton." "Mayor Newton?" said George, "sure that's a good name and you people have played hell, you agreed to keep this a hundred percent on the q.t. so I don't propose to help you a damn bit. The tape has gone to a safety vault. It belongs to the speaker for his record." All evening calls came in from the university public relations man, and threats to use the name Newton. Go to it said George. That's as good a name as any. The next day the intelligence boys came in. They talked big at the university. They interviewed George at the station. He let them talk into an open mike and we kept their talk. I took off for Los Angeles. It was on the air in Los Angeles. Scully felt

that it might hurt his book, but then decided to use the material and the publicity in his book. Ten days after the talk, while the saucers were buzzing Farmington, N.M., near Aztec, for an hour, the Post in Denver turned up at the class with a golf picture of me from their morgue and showed it to the class. One of the students said "that's Mr. Newton," but Mr. Broman said "this was a confidential talk, so I figured his name was not to be used." So the paper said, "This looks like the speaker."

When Scully's book came out it was a best seller. Scully came to Denver. Both papers played him up. Seyerson of the Post said to me; "Mr. Newton, will you now admit you were the speaker?" "Sure," I said, "but don't you see we didn't want any publicity before Frank's book was ready? This was my only reason for asking that it be a confidential talk, and I hoped to introduce Scully to Broman's class."

I had seen Broman several times. He came to my house. I thanked him for forgetting my name, and he said that was the best thing he could think to do. At the time I gave him an autographed copy of Frank's book and he asked me if I would be willing to give a tape copy of my talk as he would like to run it for the class each semester. I said if he'd get me a letter by the Dean or the Chancelor requesting it for the archives I'd donate it. He agreed to try. This all took place with Mr. and Mrs. Koehler present in the living room at 315 Franklin Street. Broman never at any time expressed any regret that the lecture had been given, but was voluble and delighted over the whole affair.

The written data as it appears in Menzel's book is a complete afterthought and buildup. The incidents, the time element, the introduction method, all preclude any such calculated story as written by Menzel.